626-577-0124

T-446 P.003/003 F-574

FORM EXEMPT UNDER 44 U.S.C 3512

(NTERNST FORM NLRB-501 (2-05)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE		
Case	Date Filed	
31-CA-158689	8/24/15	

NSTRUCTIONS:				
- FMELOVED	he alleged unfair labor practice occ	urred or is occurring.		
1, EMPLOYER A	GAINST WHOM CHARGE IS			
a. Name of Employer		b, 1	el. No.	
Sanders-Clark & Co. d/b/a McDonalds				
& McDonalds USA LLC as Joint/Single Employer		c. C	c. Cell No.	
•		 	ax No.	
d. Address (Street, city. state, and ZIP code)	e. Employer Representative		ax 140.	
2838 Crenshaw Blvd.	,	g. e	-Mail	
Los Angeles, CA 90016	(b) (6), (b) (7)(C)			
			lumber of workers employed	
		"" '	60-70	
i. Type of Establishment (factory, mine, wholesaler, etc.)	. Identify principal product or	service		
Restaurant	Restaurant			
k. The above-named employer has engaged in and is engaging	in unfair labor practices within th	e meaning of section 8(a), subsections (1) and (list	
subsections) (3)			tions Act, and these unfair labor	
practices are practices affecting commerce within the meani			·	
within the meaning of the Act and the Postal Reorganization	_	i predices are uman pra	causes affecting commerces	
Basis of the Charge (set forth a clear and concise statement		and unfair labor exteriors		
(b) (6), (b) (7)(0				
In or about 2015, the Employer, by a	• •		•	
interfered with, restrained and coerced (b)	(6), (b) (7)(C) by redu	icing 🌇 weekly l	nours in retaliation for	
exercise of rights under Section 7 of the	ne National Labor Rela	tions Act.		
3. Full name of party filing charge (if labor organization, give fu	Ill name, including local name and	d number)		
3. Full name of party filing charge (if labor organization, give full Los Angeles Organizing Committee	ıll name. including local name and	d number)		
Los Angeles Organizing Committee	Ill name, including local name and			
3. Full name of party filing charge (if labor organization, give full Los Angeles Organizing Committee 4a. Address (Street and number, city, state, and ZIP code)	Ill name, including local name and		^{I. No.} 213-251-3861	
Los Angeles Organizing Committee	ill name. including local name and		I. No. 213-251-3861	
4a. Address (Street and number, city, state, and ZIP code)	Ill name, including local name and	4b. Te		
4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065	Ill name, including local name and	4b. Te	II No.	
4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065	Ill name, including local name and	4b. Te 4c. Ce 4d. Fa	II No.	
4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065	Ill name. including local name and	4b. Te	II No.	
4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065	ill name. including local name and	4b. Te 4c. Ce 4d. Fa	II No.	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of v		4b. Te 4c. Ce 4d. Fa 4e. 6-N	il No. ex No. Aail	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055		4b. Te 4c. Ce 4d. Fa 4e. 6-N	il No. ex No. Aail	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization)	which it is an affiliate or constituen	4b. Te 4c. Ce 4d. Fe 4e. e-f	ax No. Mail In charge is filed by a labor	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION	which it is an affiliate or constituen	4b. Te 4c. Ce 4d. Fe 4e. e-f t unit (to be filled in when	ax No. Mail In charge is filed by a labor	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization)	which it is an affiliate or constituen	4b. Te 4c. Ce 4d. Fi 4e. e-I at unit (to be filled in when	il No. ax No. Aail a charge is filed by a labor 626-796-7555	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION I declare that I have read the above charge and that the statement	which it is an affiliate or constituen	4b. Te 4c. Ce 4d. Fa 4e. e-fi 4e. e-fi Tel. N Ge and belief.	ax No. Alail Charge is filed by a labor	
Los Angeles Organizing Committee 4a, Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION I declare that I have read the above charge and that the statement	which it is an affiliate or constituen N Is are true to the best of my knowled	4b. Te 4c. Ce 4d. Fi 4e. e-f 4e. e-f Tel. N ge and belief. ey	Il No. ex No. Mail charge is filed by a labor 626-796-7555 if any, Cell No.	
4a. Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION I declare that I have read the above charge and that the statement	which it is an affiliate or constituen N s are true to the best of my knowled Naduris-Weissman, Attorn	4b. Te 4c. Ce 4d. Fa 4e. e-N 4e. e-N Tel. N ge and belief. Office.	il No. ex No. dail charge is filed by a labor 626-796-7555 if any, Cell No.	
4a. Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION I declare that I have read the above charge and that the statement	which it is an affiliate or constituen N S are true to the best of my knowled Naduris-Weissman, Attorno (Printlype name and tills or office, if	4b. Te 4c. Ce 4d. Fa 4e. e-N 4e. e-N Tel. N ge and belief. ey any) Fax N Mail	Il No. ex No. Mail charge is filed by a labor 626-796-7555 if any, Cell No.	
4a. Address (Street and number, city, state, and ZIP code) Post Office Box 555065 Los Angeles, CA 90055 5. Full name of national or international labor organization of vorganization) 6. DECLARATION I declare that I have read the above charge and that the statement	which it is an affiliate or constituen N Is are true to the best of my knowled Naduris-Weissman, Attorno (Printlype name and title or office, if	4b. Te 4c. Ce 4d. Fa 4e. e-I at unit (to be filled in when ge and belief. ey any) Fax N Mail	Il No. ex No. Mail charge is filed by a labor 626-796-7555 if any, Cell No.	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the Information are fully set forth in the Federal Register. 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

94%

ROTHNER, SEGALL & GREENSTONE

-ATTORNEYS -

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FACEIMILE: (626) 577-0124 WEBSITE: WWW.RSGLABOR.COM

August 24, 2015

By Facsimile and U.S. Mail

Mori Rubin, Regional Director National Labor Relations Board Region 31 11500 West Olympic Blvd., Suite 600 Los Angeles, CA 90064-1824

Re: LA Organizing Committee

Dear Ms. Rubin:

Enclosed with this letter please find an original and four copies of Charge Against Employer for filing in the above matter on behalf of the Los Angeles Organizing Committee.

In order to obtain evidence in support of these charges, please contact the undersigned.

Very truly yours,

Eli Naduris-Weissman

Enclosure

ENW^{(0) (6)}

cc: Yaneth Palencia, Region 31 (via e-mail)

41. €

ROTHNER, SEGALL & GREENSTONE 510 South Marengo, Pasadena, California 91101-3115

FAX COVERSHEET

Our File No. SEIU.059

Date: August 24, 2015

To:

Mori Rubin, Regional Director

National Labor Relations Board

Region 31

Fax No.

(310) 235-7420

From:

Eli Naduris-Weissman

Rothner, Segall & Greenstone

Pages:

3, including this cover page.

Subject:

LA Organizing Committee

Comments:

Attached please find correspondence dated August 24, 2015. Original to follow

via U.S. Mail.

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

Please telephone this office if you do not receive legible copies of all pages. TELEPHONE: 626/796-7555 -- FACSIMILE: 626/577-0124

Case Name: Sanders-Clark & Co. d/b/a/ McDonalds & McDonalds USA LLC as Joint/Single

Employer

Case No.: 31-CA-158689

Agent: [AGENT NAME AND TITLE]

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity

158689. 2838 Crenshaw McD's

CP legal- Eli Naduris-Wesissman 626 796-7555 (back up-) Jonathan Cohen ELI – same phone

NEW ER ATTY

Regina A. Petty---

Attorney at Law

rpetty@laborlawyers.com | O: (858) 597-9614 4747 Executive Drive | Suite 1000 | San Diego, CA 92121 Petty, Regina <rpetty@laborlawyers.com>

Ariane Panter, Esq. Counsel, Global Labor & Employment McDonald's USA, LLC 2915 Jorie Blvd. Oak Brook, IL 60523

ER's legal George Howard- 858-314-1166gshoward@jonesday.com

8/26/15

Got file.

8/31

Spoke to CP Eli. Please submit offer of proof

Priority Trial- Encino 140828- Actual trial 9/2-4 Investigation delayed.

9/11

Received offer of proof- setting up affid with CP.

9/14 through 10/9

Priority handling of McD's sub. application including filing actual application and follow up on service of documents. (b) (5)

10/13-10/16

Priority work on post hearing briefs due 10/16 for Encino Trial 140828. Case intake delayed.

Week of 10/19

Further delay of case due to my being called to jury duty.

10/22 to 11/2

(b) (5)

11/4

Spoke to CP eli. (b) (5)

11/12

Spoke to CP Eli. (b) (5) . Requested withdrawal.



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD



Agency Website: www.nlrb.gov Telephone: (310)235-7351 Fax: (310)235-7420 Download NLRB Mobile App

August 25, 2015

REGINA PETTY FISHER & PHILLIPS LLC 4747 EXECUTIVE DR STE 1000 SAN DIEGO, CA 92121-3113

REGION 31

MHAIRI L. WHITTON, ATTORNEY AT LAW JONES DAY 500 GRANT STREET, SUITE 4500 PITTSBURGH, PA 15219

11500 W Olympic Blvd Ste 600

Los Angeles, CA 90064-1753

GEORGE S. HOWARD, ATTORNEY AT LAW JONES DAY 12265 EL CAMINO REAL, SUITE 200 SAN DIEGO, CA 92130 KRISTEN J. NESBIT, ATTORNEY AT LAW FISHER & PHILLIPS, LLP 444 S FLOWER ST STE 1590 LOS ANGELES, CA 90071-2950

JINA LEE, ATTORNEY AT LAW FISHER & PHILLIPS, LLP 444 S FLOWER ST STE 1590 LOS ANGELES, CA 90071-2950

Re: Sanders-Clark & Co. d/b/a/ McDonalds &

McDonalds USA LLC as Joint/Single

Employer

Case 31-CA-158689

Dear Mr. Petty, Ms. Whitton, Mr. Howard, Ms. Nesbit, and Ms. Lee:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Rodolfo Fong-Sandoval whose telephone number is (310) 235-6418. If this Board agent is not available, you may contact Assistant to the Regional Director Tom K. Chang whose telephone number is (310) 235-7376.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this

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proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

- 3 -

Very truly yours,

Mori Rubin

Mori Rubin Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

cc: (b) (6), (b) (7)(C)

Case 31-CA-158689

SANDERS-CLARK & CO. D/B/A/ MCDONALDS & MCDONALDS USA LLC AS JOINT/SINGLE EMPLOYER 2838 CRENSHAW BLVD LOS ANGELES, CA 90016-3604 ARIANE PANTER, COUNSEL, GLOBAL LABOR & EMPLOYMENT LAW MCDONALD'S USA, LLC 2915 JORIE BLVD. OAK BROOK, IL 60523

D : 14/21/2011	NI TON	I I I DOD DEL IETOM	T DO L DD			
Revised 3/21/2011 NATIONAL LABOR RELATIONS BOARD						
QUESTIONNAIRE ON COMMERCE INFORMATION						
Please read carefully, answer all applicable ite	ms, and return to the NI	RB Office. If additional spa	ice is required, please add a pag		er.	
CASE NAME			1 //61 4	CASE NUMBER		
Sanders-Clark & Co. d/b/a/ McDonalds & McDonalds USA LLC as Joint/Single 31-CA-158689						
Employer						
1. EXACT LEGAL TITLE OF ENTITY	As filed with State an	d/or stated in legal docun	nents forming entity)			
4 TYPE OF ENTITY						
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] I	LP [] PARTNEI	RSHIP [] SOLE PRO	PRIETORSHIP [] OTHER	R (Specify)		
3. IF A CORPORATION or LLC	D NAME ADDRES	CC AND DELATIONCHI) () OF AI	I DELATED ENTERE	20	
A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRES	55, AND KELATIONSHIP	(e.g. parent, subsidiary) OF Al	LL RELATED ENTITIE	25	
OKT GIAMITION						
4. IF AN LLC OR ANY TYPE OF PART	NERSHIP, FULL NA	AME AND ADDRESS OF	ALL MEMBERS OR PART	NERS		
5. IF A SOLE PROPRIETORSHIP, FUI	I NAME AND ADD	RESS OF PROPRIETOR)			
J. If A SOLE I KOTKIETOKSIIII, POL	L NAME AND ADD	RESS OF TROTRIETOR				
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6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERAL	ITONS (Products nandled)	or manujacturea, or nature of s	ervices perjormea).		
7. A. PRINCIPAL LOCATION:		B. BRANCH LOCATIO	ONS:			
A MARKET OF BEONE PRESENTED	TELEPI OLTER					
8. NUMBER OF PEOPLE PRESENTLY						
A. Total:		ss involved in this matter:				
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALENDAR YR []	12 MONTHS or [] FISCA	L YR (FY dates	Targe)
A Did you provide services valued in	excess of \$50,000 di	reatly to austomers outs	ide your State? If no indica	ite actual value	YES	NO
A. Did you provide services valued in	excess of \$50,000 di	rectly to customers outs	ide your State? If no, indica	ite actual value.	YES	NO
\$		-			YES	NO
\$ B. If you answered no to 9A, did you p	rovide services valu	ed in excess of \$50,000	to customers in your State v	who purchased goods	YES	NO
\$	rovide services valu	ed in excess of \$50,000	to customers in your State v	who purchased goods	YES	NO
B. If you answered no to 9A, did you p valued in excess of \$50,000 from di \$ C. If you answered no to 9A and 9B, did	rovide services valu rectly outside your S l you provide servic	ted in excess of \$50,000 tate? If no, indicate the	to customers in your State ve value of any such service 50,000 to public utilities, tra	who purchased goods es you provided.	YES	NO
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may

cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement of the subpoena in federal or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue you are subpoena and seek enforcement or cause the NLRB to issue	court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

SANDERS-CLARK & CO. D/B/A/ MCDONALDS & MCDONALDS USA LLC AS JOINT/SINGLE EMPLOYER

Charged Party

and

LOS ANGELES ORGANIZING COMMITTEE

Charging Party

Case 31-CA-158689

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 25, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

SANDERS-CLARK & CO. D/B/A/ MCDONALDS & MCDONALDS USA LLC AS JOINT/SINGLE EMPLOYER
2838 CRENSHAW BLVD
LOS ANGELES, CA 90016-3604

REGINA PETTY FISHER & PHILLIPS LLC 4747 EXECUTIVE DR STE 1000 SAN DIEGO, CA 92121-3113

MHAIRI L. WHITTON, ATTORNEY AT LAW JONES DAY 500 GRANT STREET, SUITE 4500 PITTSBURGH, PA 15219

ARIANE PANTER, COUNSEL, GLOBAL LABOR & EMPLOYMENT LAW MCDONALD'S USA, LLC 2915 JORIE BLVD. OAK BROOK, IL 60523

Date

GEORGE S. HOWARD JR., ATTORNEY AT LAW

JONES DAY

12265 EL CAMINO REAL, SUITE 200

SAN DIEGO, CA 92130

KRISTEN J. NESBIT, ATTORNEY AT LAW FISHER & PHILLIPS, LLP 444 S FLOWER ST STE 1590 LOS ANGELES, CA 90071-2950

JINA LEE, ATTORNEY AT LAW FISHER & PHILLIPS, LLP 444 S FLOWER ST STE 1590 LOS ANGELES, CA 90071-2950

August 25, 2015

Jorge Romero, Designated Agent of NLRB

Name

/S/JOISE KOILEIO	/s/Jorge	Romero
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Signature



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD



REGION 31 11500 W Olympic Blvd Ste 600 Los Angeles, CA 90064-1753 Agency Website: www.nlrb.gov Telephone: (310)235-7351 Fax: (310)235-7420 Download NLRB Mobile App

August 25, 2015

Eli Naduris-Weissman, Attorney Rothner, Segall & Greenstone 510 South Marengo Avenue Pasadena, CA 91101-3115

Re: Sanders-Clark & Co. d/b/a/ McDonalds &

McDonalds USA LLC as Joint/Single

Employer

Case 31-CA-158689

Dear Mr. Naduris Weissman:

The charge that you filed in this case on August 24, 2015 has been docketed as case number 31-CA-158689. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Rodolfo Fong-Sandoval whose telephone number is (310) 235-6418. If this Board agent is not available, you may contact Assistant to the Regional Director Tom K. Chang whose telephone number is (310) 235-7376.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlrb.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Mori Rubin Regional Director

Mori Rubin

cc: Los Angeles Organizing Committee Post Office Box 555065 Los Angeles, CA 90055 From: Eli Naduris-Weissman To: Fong Sandoval, Rudy

Subject: Offer of Proof in Case No.31-CA-158689 Date: Thursday, September 10, 2015 9:19:21 PM (b) (6), (b) (7)(C) Hours Documents.pdf
Schedule (b) (6) Ut (b) (6), (b) pdf Attachments:

Schedule^{(b) (6)} U t^{(b) (6), (b)} pdf (b) (6), (b) (7)(C) offer of Proof.doc

Rudy:

Please find attached an offer of proof for the testimony of (b) (6), (b) (7)(C) in the above-mentioned case, as well as attachments showing schedule since April, and a recent schedule document showing the worker who has replaced shift. documents. I understand you have a busy schedule right now; let me know when you would like to discuss dates for the affidavit.

Let me know if you have any questions about this information.

Eli Naduris-Weissman Rothner, Segall & Greenstone 510 South Marengo Avenue Pasadena, California 91101-3115 Tel. (626) 796-7555 | Fax (626) 577-0124 www.rsglabor.com<http://www.rsglabor.com>

10.06

STORE: 1063

PAGE: 1

CREW ASSIGNMENTS REPORT

W/O AVAILABILITIES

FOR SUNDAY 0(0)(0)(0)(0) 15 - SATURDAY

(b) (6), (b) (7)(C 15

SAT FRI MON TUE WED THU SUN (b) (6), (b) (7)(⁶15 (b) (6), (b) (7/15 EMPLOYEE (b) (6), (b) (7/15 (b) (6). (b) (4/15 (b) (6). (b) (7/15 ID#

The material contained herein is business confidential information of your employer and may not be used or copied without the prior written permission of your employer, unless it is being used in Employee Protected Communications are communications by non-supervisory employees regarding terms and conditions of employment, such as wages and benefits, hours, working conditions and personnel actions.

(b) (6), (b) (7)(C), (b) (7)(D)

- **Employment Background** has worked at 2838 Crenshaw Blvd since about has been working (b) (6), (b) and makes hour. II. Involvement with LA OC/FF15 has been involved in LA OC since 2014. (b) (6), (b) (7)(C) member of LA OC, as can be seen from (b) (6), (b) (7)(C) has appeared on (b) (6), (b) (7)(C) (which the employer has noted he has seen him in; (b) (6), (b) (7)(C) participated in multiple one-day strikes as part of the national Fight for Fifteen campaign, including (b) (6), (b) (7)(C) strike and the (b) (6), (b) (7)(C) strike. III. Involvement in Recent Strike participated in the (b) (6), (b) (7)(C) strike. b. The employer was aware of this because (b) (6), (b) (7)(C) IV. Reduction in Schedule & Pretextual reason given a. Soon after the strike, in (b) (6), (b) (7)(C) noticed that schedule had dropped from days per week to only days per week. worked a regular (b) (6), (b) i. Previously, day schedule, (b) (6), (b) (7)(C) (b) (6), (b) (7 ii. After (b) (6), (b) (7)(C) lost his regularly-assignment to work on (b) (6), (b) (7)(C) thereafter only worked (b) (6), (b) (7 each week, for the same (C) each day. iii. See section V below.
 - b. Around this time asked (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), why this had occurred? answered that had said work performance had

- e. There has been no change in the demand for employees or amount of activity in the store during this time. If anything, there is more work.
- believes (and we are seeking to verify), that another, less experienced worker, filled missing shift.
- V. <u>Documents show the reduction in hours Analysis of Time Punch Summary Reports</u>
 (refer to page 15 of the Hours PDF)
 - a. Previously, worked a regular day schedule (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
 - b. Change occurs in
 - c. Week of (b) (6), (b) (7)(C) has normal (b) (6), (b) (7)(C) schedule
 - d. Following week of (b) (6), (b) (7)(C) the (b) (6), (b) (7)(C) shift is gone (b) (6), (b) (7)(C)

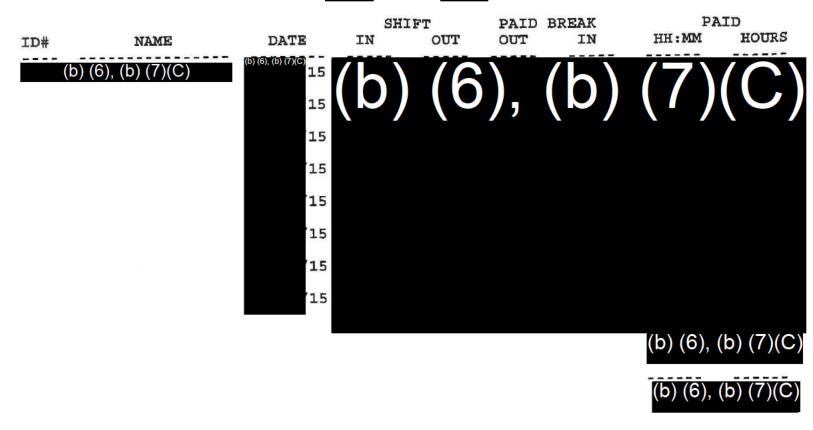
 This continues from that point on.
- VI. Replacement of shift with (b) (6), (b) (7)(C)
 - a. As shown in a recent schedule (see document), a worker named works the (b) (6), (b) (7)(C) shift that previously worked.
 - b. is a relatively new employee, with much less experience in not involved in LA OC.

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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # FROM (b)(6),(b)(7)(c)/15 TO (b)(6),(b)(7)(c)/15



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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # FROM (b)(6),(b)(7)(C)/15 TO (b)(6),(b)(7)(C)/15

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(b) (6), (b) (7)(C)

(b) (6), (b) (7

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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # FROM (b)(6),(b)(7)(c)/15 TO (b)(6),(b)(7)(c)/15

PAID BREAK PAID SHIFT HOURS HH:MM IN NAME DATE IN OUT OUT ID# (b) (6), (b) (7)(C) 15 L5 L5 L5 L5 (b) (6), (b) (7)(C)

(b) (6), (b) (7

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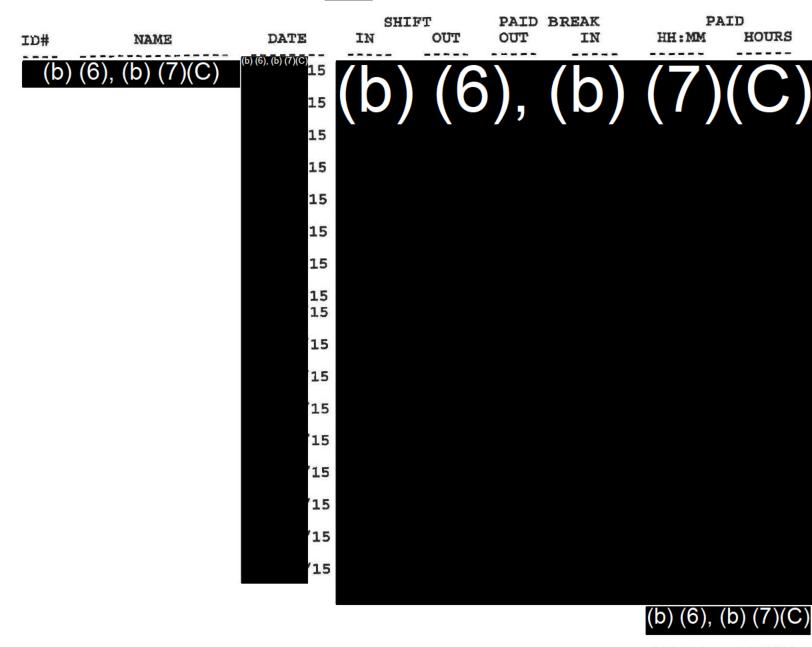
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(b) (6), (b) (7)(C)

TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # (b)(6),(b)(7)(c)/15 TO (b)(6),(b)(7)(c)/15



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(b) (6), (b) (7)

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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # (b) (6), (b) (7)(C) /15 TO (b) (6), (b) (7)(C) 15



(b) (6), (b) (7)(C)

(b) (6), (b) (7)

RUN DATE: 06/19/15 RUN TIME: 13:01

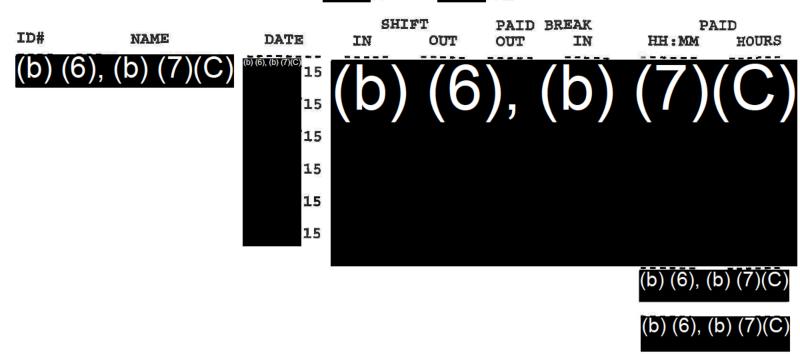
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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY ID # FROM (b)(6),(b)(7)(c)/15 TO (b)(6),(b)(7)(c)/15



RUN DATE: 07/01/15 RUN TIME: 06:20

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(b) (6), (b) (7)(C)

TIME PUNCH SUMMARY REPORT GROUP ORDERED BY TD (b) (6), (b) (7)(C) 15 TO

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GROUP ORDERED BY ID #
FROM (DIG. 10) TO (DIG

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(b) (6), (b) (7)(C)





Total Hours

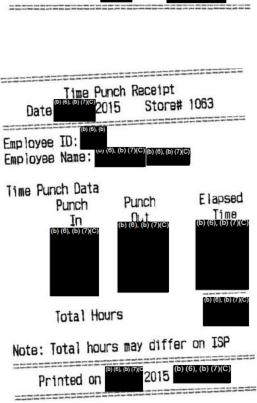
Note: Total hours may differ on ISP

(b) (6), (b) (7)(C); away as/old

Time Punch Receipt

Store# 1063

Employee ID:



Time Punch Receipt

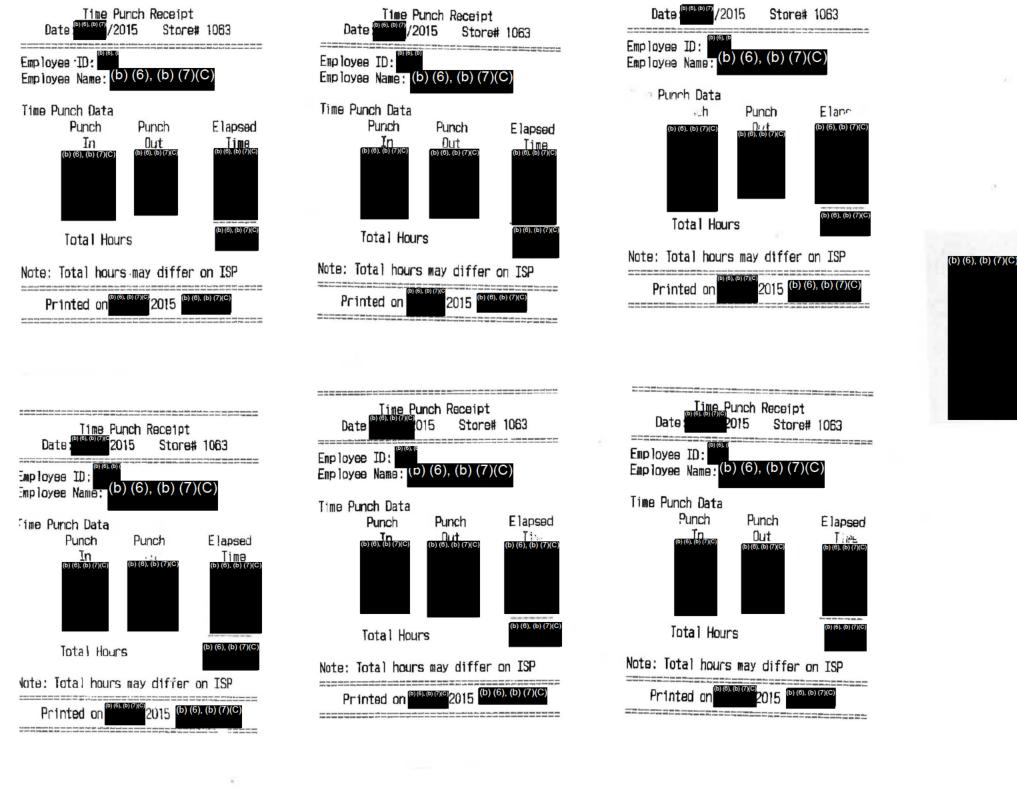
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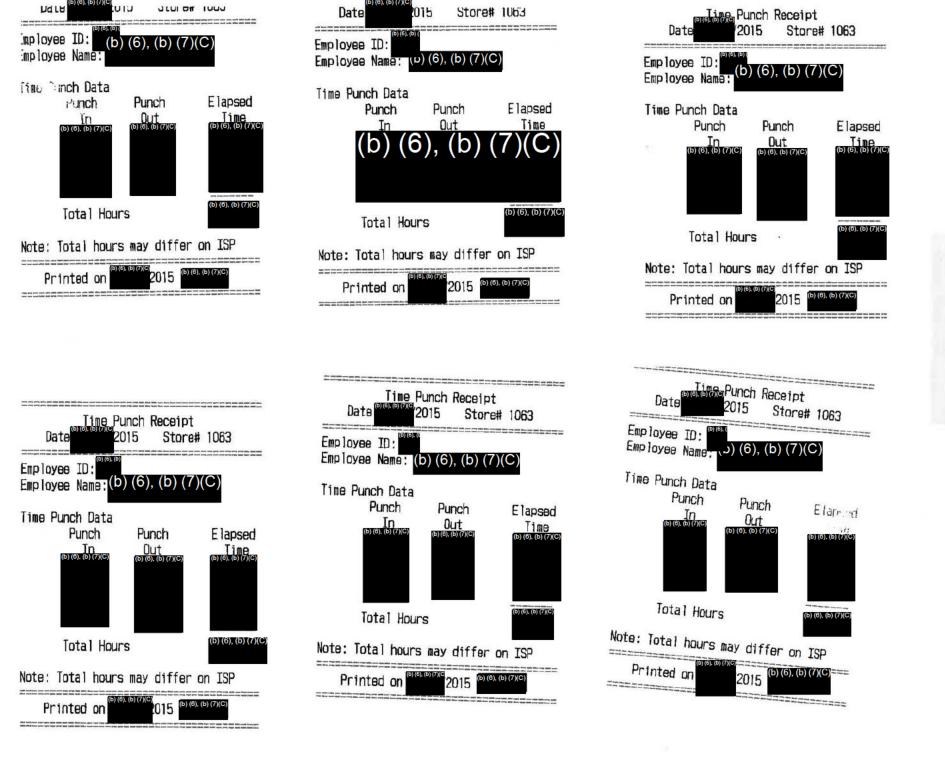
(6), (b) (7

Punch

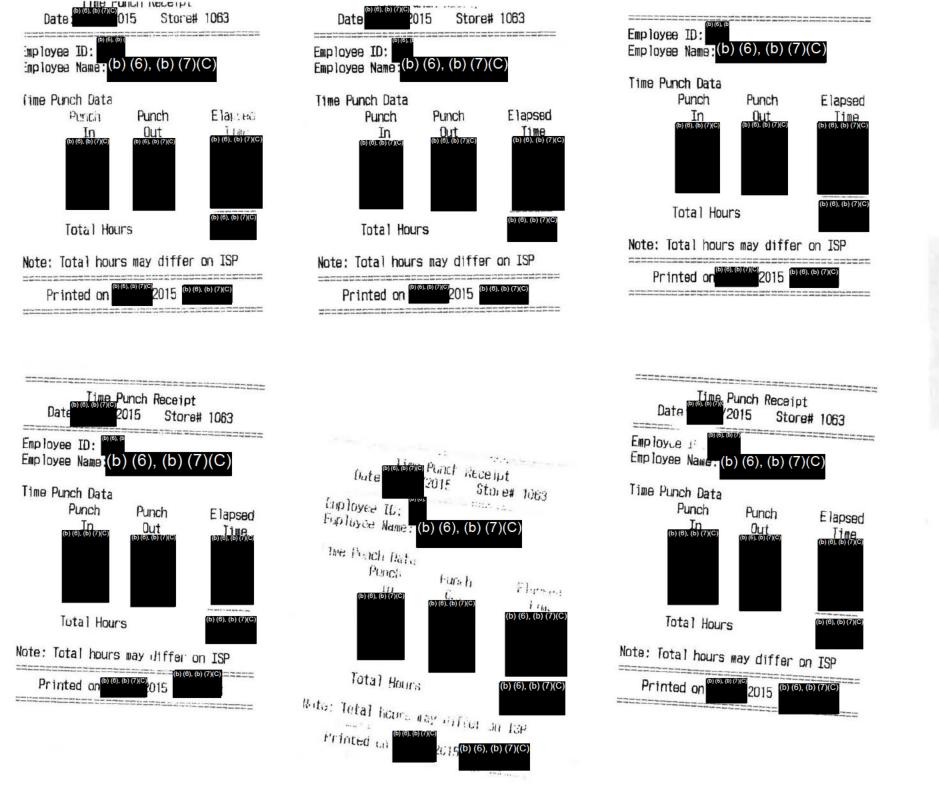
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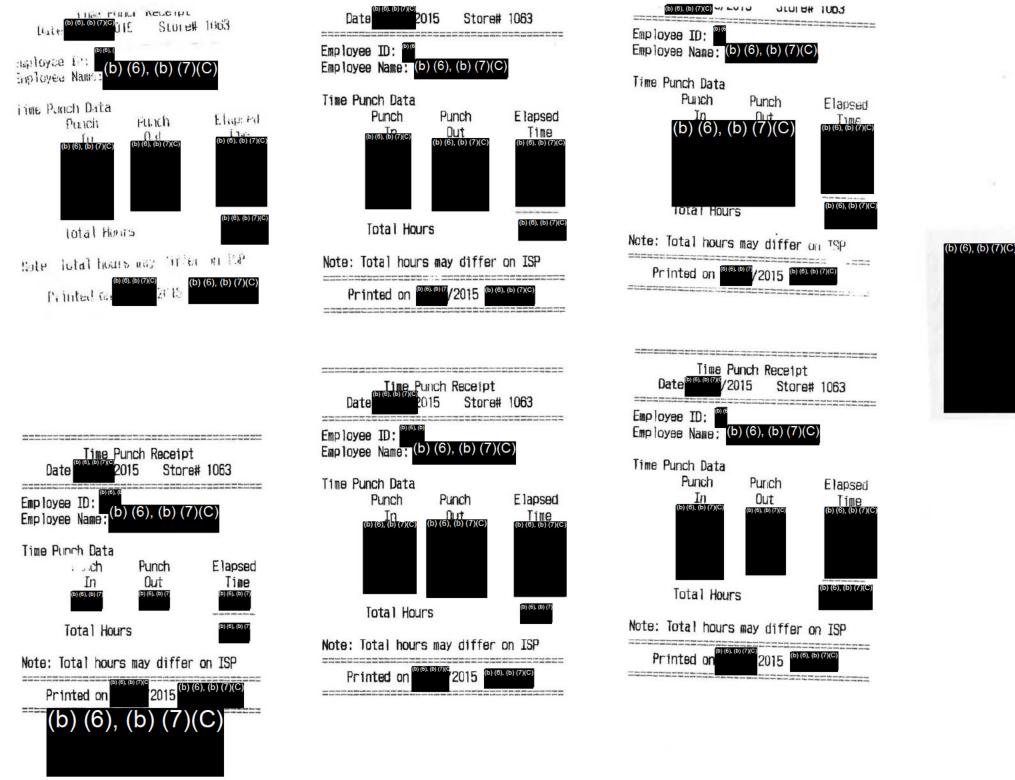


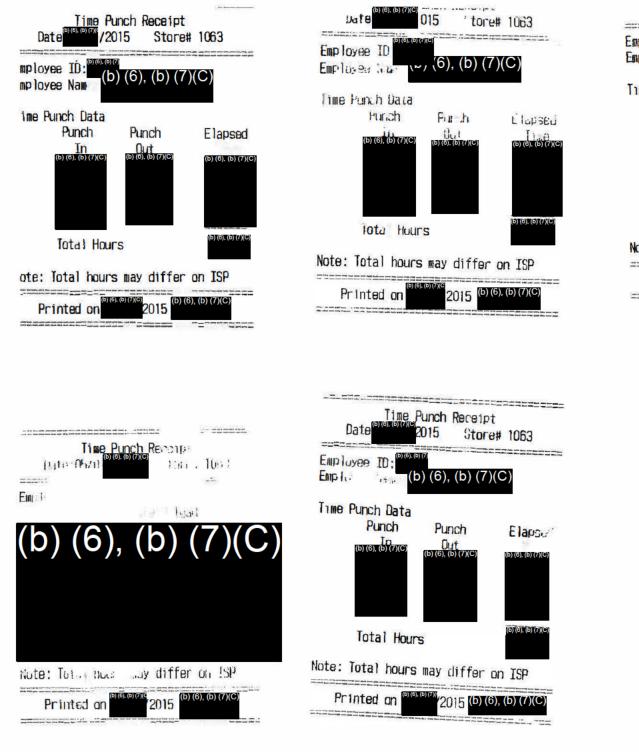


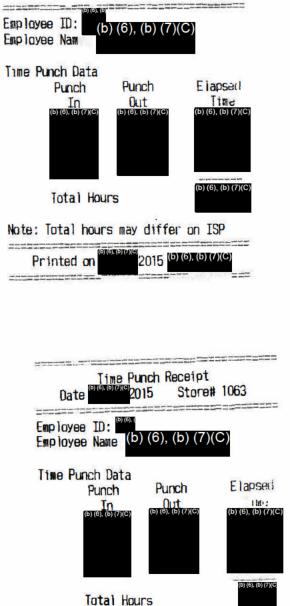
(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)





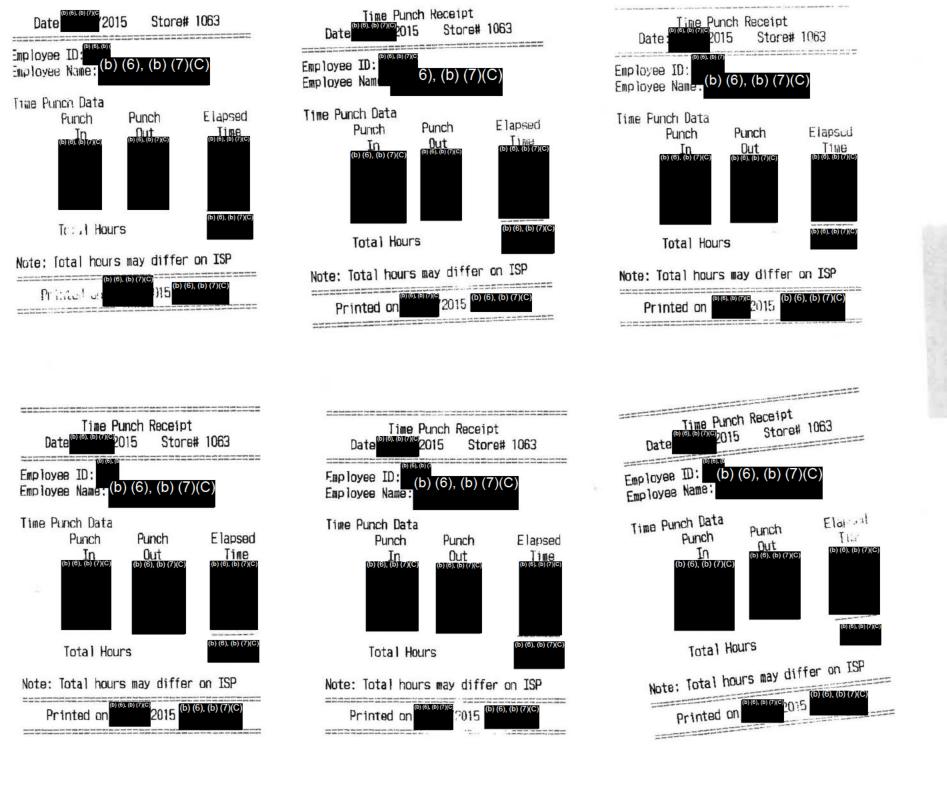


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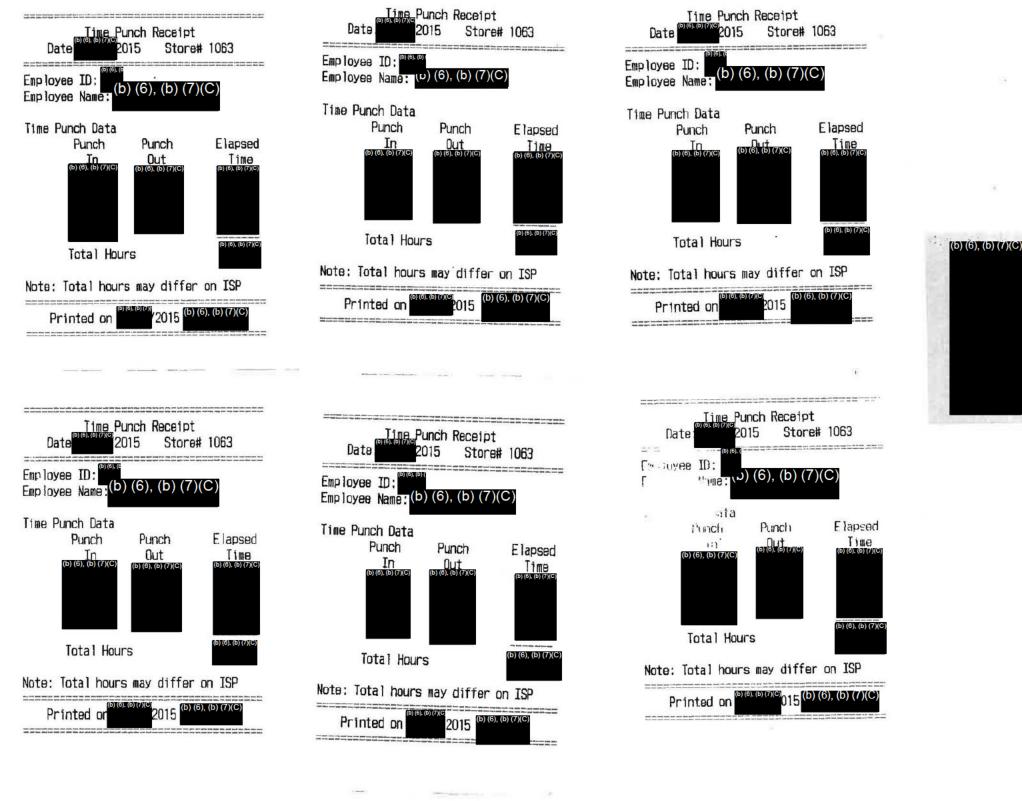
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(b) (6), (b) (7)(C)

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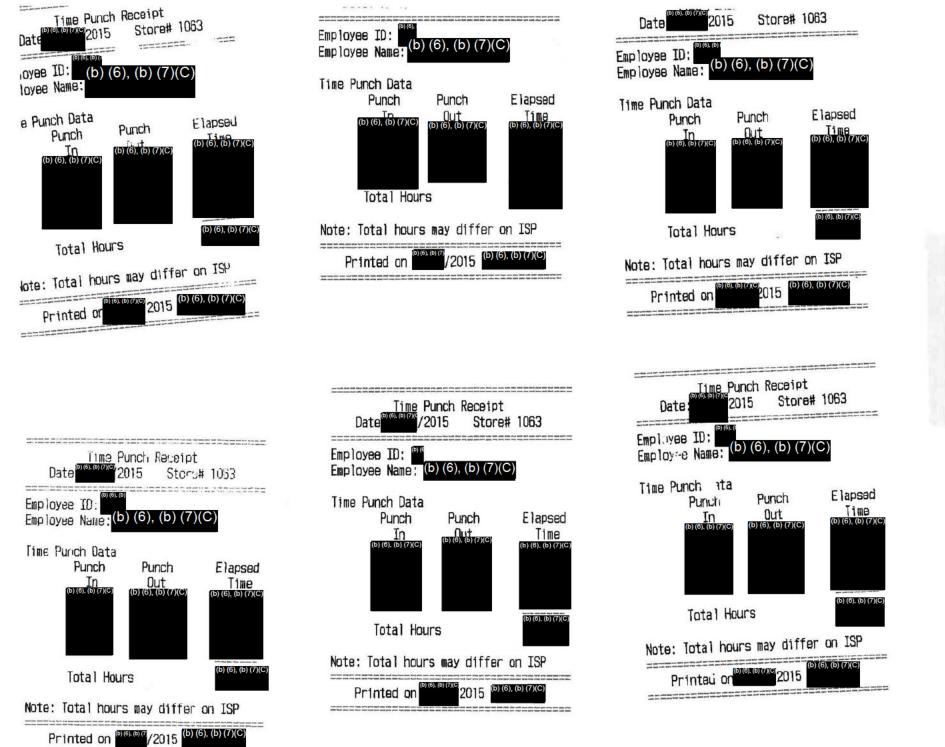


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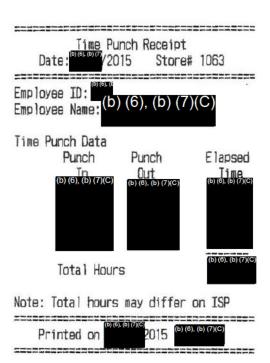


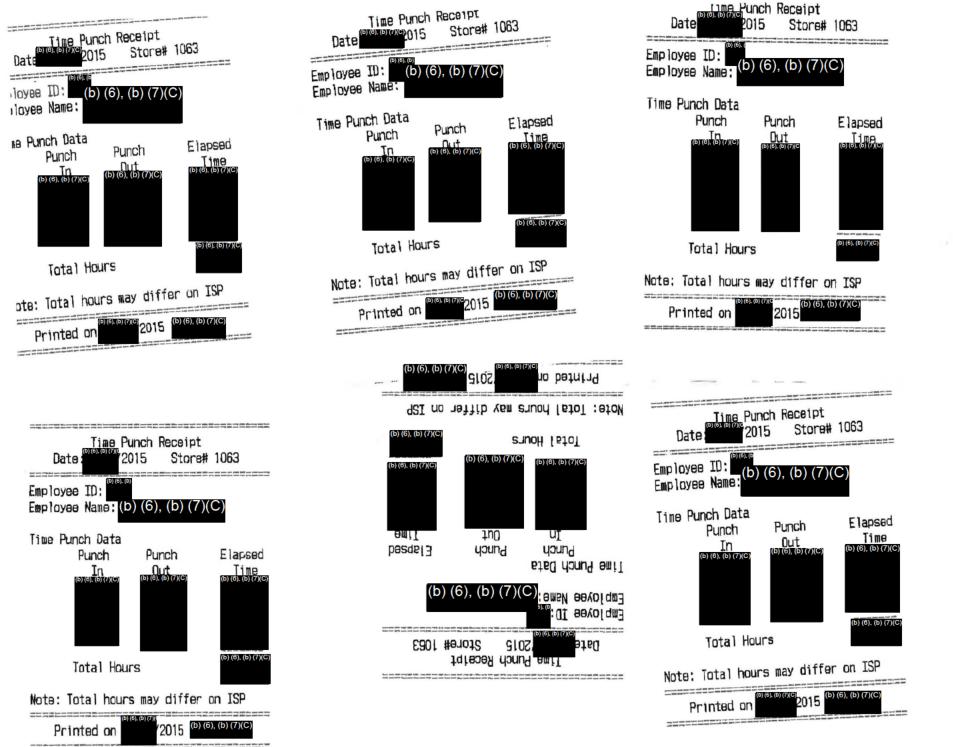






(b) (6), (b) (7)(C)



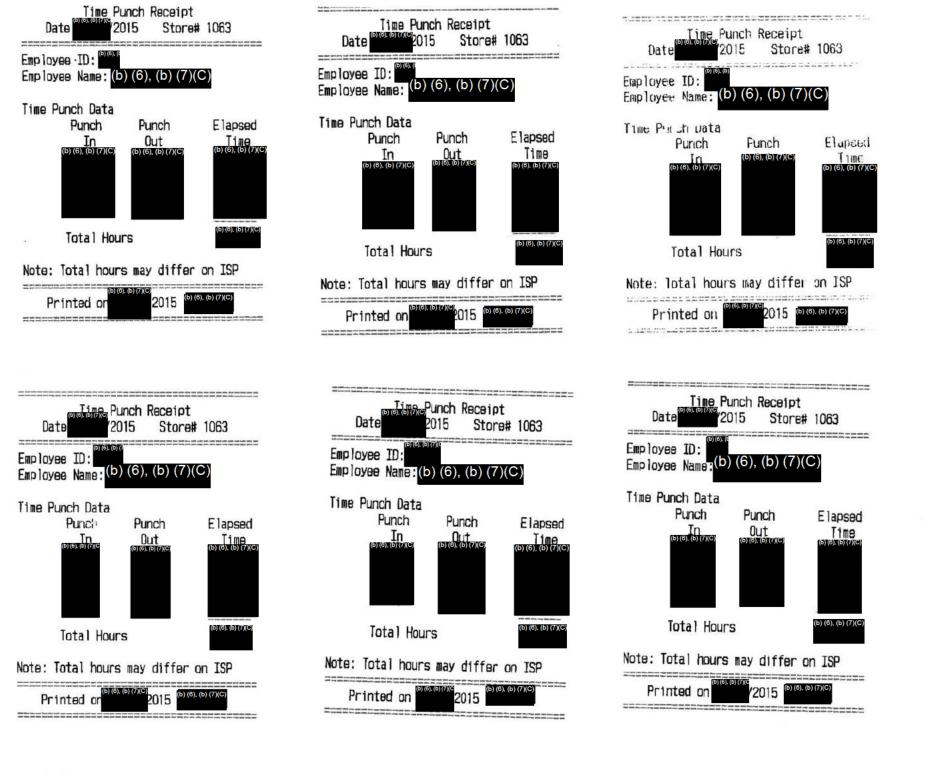




Time Punch Receipt

Store# 1063

2015 Time Punch Receipt



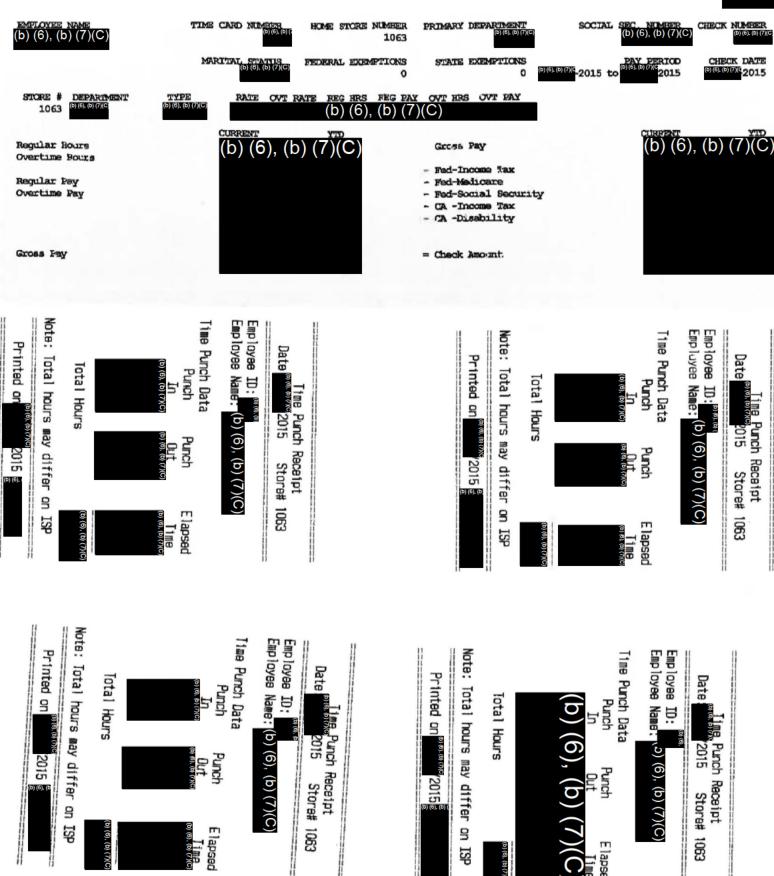
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o) (6), (b) (7)

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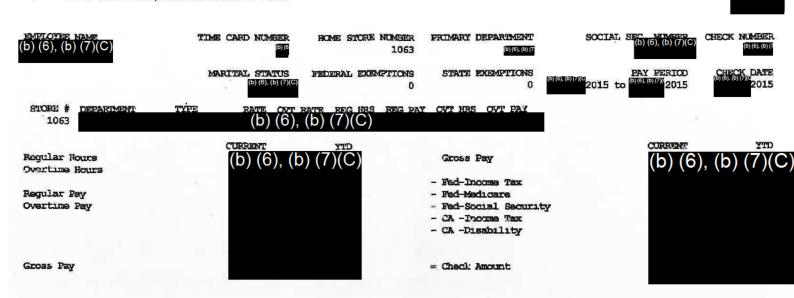
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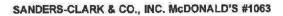


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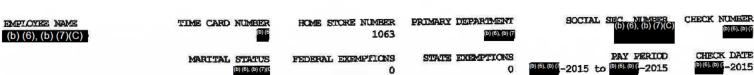
CHECK DATE

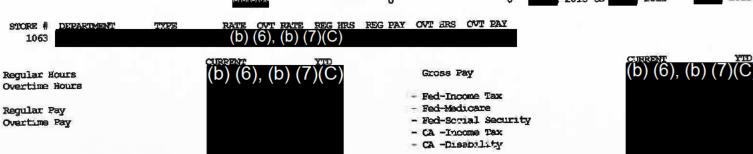
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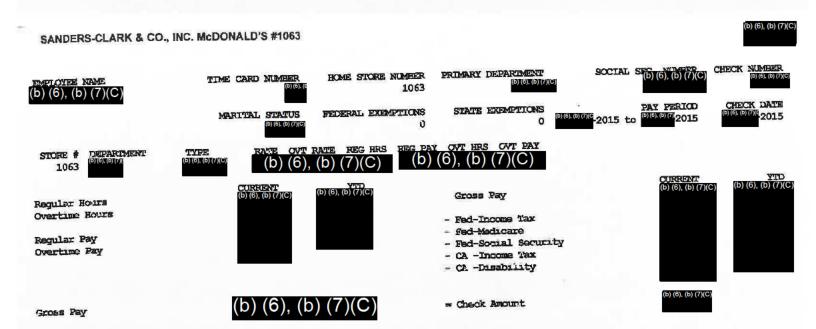


Gross Pay





= Check Amount



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

TIME CARD NUMBER

HOME STORE NUMBER 1063

PRIMARY DEPARTMENT

SOCIAL SE(b) (6), (b) (7)(C)

CHECK NUMBER

MARITAL STATUS (b) (6), (b) (7)(

FEDERAL EXEMPTIONS

STATE EXEMPTIONS

PAY PERIOD (a)(6),(b)(4-2015 to (a)(6),(b)(4-2015 CHECK DATE 0)(6),(0)(7)-2015

STORE # DEPARTMENT 1063

Overtima Hours

Regular Pay

Gross Pay

Overtime Pay

(b) (6), (b) (7)(C)

OVT RATE REG HRS REG PAY OVT HRS OVT PAY (b) (6), (b) (7)(C)

Regular Hours

(b) (6), (b) (7)(C

Gross Pay

- Fed-Income Tax

- Fed-Medicare

- Fed-Social Security

- čA -Income Tax

- CA -Disability

= Check Amount



SANDERS-CLARK & CO., INC. McDONALD'S #1063

(b) (6), (b) (7)(C

TIME CARD NUMBER

HOME STORE NUMBER 1063 PRIMARY DEPARTMENT

SOCIAL SEC NIMEER (b) (6), (b) (7)(C)

CHECK NUMBER

MARITAL STATUS (b) (6), (b) (7)(6

FEDERAL EXEMPTIONS 0

STATE EXEMPTIONS 0

PAY PERIOD -2015 to (0)(6),(0)(6)-2015 CHECK DATE -2015

1063

(b) (6), (b) (7)(C)

(6), (b) (7)(b)

Regular House **Wertime** Hours

tegular Pay Wertime Pay

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(b) (6), (b) (7)(C)

Gross Pay

- Fed-Income Tax

- Fed-Medicare

- Fed-Social Security

- CA -Income Tax - CA -Disability

= Check Amount

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C

SANDERS-CLARK & CO., INC. McDONALD'S #1063

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

TIME CARD NUMBER

HOME STORE NUMBER 1063

PRIMARY DEPARTMENT

SOCIAL ST (b) (6), (b) (7)(C) CHECK NUMERIC

MARITAL STATUS

FEDERAL EXEMPTIONS

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-2015 to

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STORE # DEPARTMENT (b) (6), (b) (7 1063

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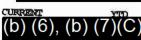
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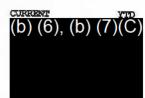
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- Fed-Medicare

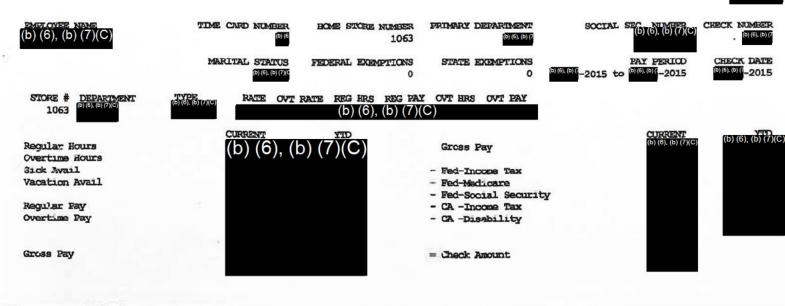
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- CA - Income Tax - CA -Disability

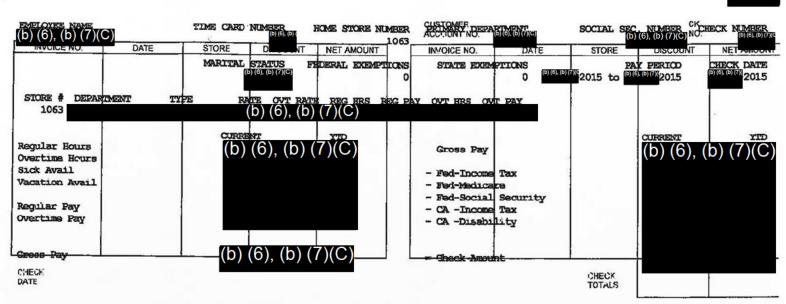
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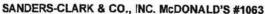
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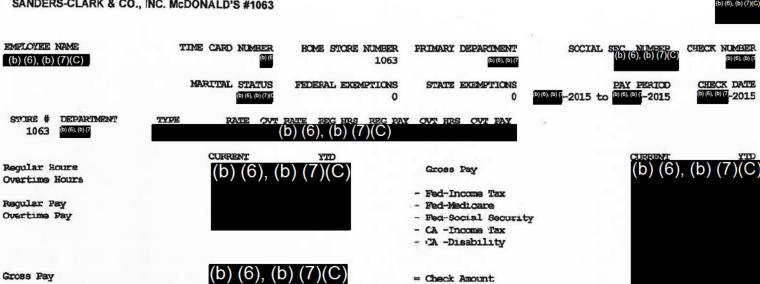


SANDERS-CLARK & CO., INC.



TO REORDER SAFEGUARD 562-947-6622 UCS#756376





From: Fong Sandoval, Rudy
To: "Eli Naduris-Weissman"

Subject: RE: Offer of Proof in Case No.31-CA-158689

Date: Friday, September 11, 2015 11:20:00 AM

Excellent job Eli. Let me see if I can make some time to brin you. I will have a better sense next week when I will get back to you. I will make certain to give you heads up.

----Original Message----

From: Eli Naduris-Weissman [mailto:enaduris-weissman@rsglabor.com]

Sent: Thursday, September 10, 2015 6:19 PM

To: Fong Sandoval, Rudy

Subject: Offer of Proof in Case No.31-CA-158689

Rudy:

Please find attached an offer of proof for the testimony of (b) (6), (b) (7)(C) in the above-mentioned case, as well as attachments showing schedule since April, and a recent schedule document showing the worker who has replaced shift. documents. I understand you have a busy schedule right now; let me know when you would like to discuss dates for the affidavit.

Let me know if you have any questions about this information.

--

Eli Naduris-Weissman
Rothner, Segall & Greenstone
510 South Marengo Avenue
Pasadena, California 91101-3115
Tel. (626) 796-7555 | Fax (626) 577-0124 www.rsglabor.comhttp://www.rsglabor.com

 From:
 Fong Sandoval, Rudy

 To:
 "Petty, Regina"

 Cc:
 Nesbit, Kristen; Lee, Jina

Subject: RE: Aug. 24 Charge against Sanders-Clark- 31-CA-158689

Date: Friday, October 23, 2015 11:49:00 AM

Regina, happy Friday.

From my initial intake of evidence, such thus far supports a prima facie case per allegations noted on the face of the charge. (attached) As partially noted on the face of the charge, the reduction of weekly hours from days to took place on before sale of Sanders in sept.) shortly after named employee (b) (6), (b) (7)(C) participated in a public strike with alleged Employer knowledge. It continues up to date.

I anticipate to complete evidence intake soon and will detail it to you for a reply.

Thank you.

Have a good weekend.

From: Petty, Regina [mailto:rpetty@laborlawyers.com]
Sent: Wednesday, September 30, 2015 12:02 PM

To: Fong Sandoval, Rudy Cc: Nesbit, Kristen; Lee, Jina

Subject: RE: New Charge against Sanders-Clark

Rudy,

We have been authorized to represent Sanders-Clark. We do not represent the facility or the new owner. It is my understanding that there are no pending deadlines at this time. If you disagree, I would appreciate it if you would let me know as promptly as possible.

Thanks for your courtesy.

Regards, Regina

Regina A. Petty

Attorney at Law

rpetty@laborlawyers.com | O: (858) 597-9614

4747 Executive Drive | Suite 1000 | San Diego, CA 92121



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Sent: Tuesday, September 29, 2015 8:24 AM **To:** Petty, Regina <<u>rpetty@laborlawyers.com</u>> **Subject:** FW: New Charge against Sanders-Clark

Regina, good day. Did you get below noted? I appreciate a reply.

From: Fong Sandoval, Rudy

Sent: Tuesday, September 15, 2015 10:05 AM

To: 'Petty, Regina'

Subject: New Charge against Sanders-Clark

Regina, my office cc:ed mail you a copy of the attached charge filed on 8/24/15. Will you be representing the facility at issue at 2838 Crenshaw for the above noted? Certainly the facts comprising the ULP occurred pre 8/24/15.

I believe CP will also be amending the charge at some point in time to include the new owner.

Thank you.

Rudy L. Fong Sandoval, Esq. Field Attorney, Region 31 National Labor Relations Board 11500 West Olympic Blvd., Suite 600 Los Angeles, CA 90064

Tel: (310) 235-6418 Fax: (310) 235-7420

email: rudy.fong-sandoval@nlrb.gov

From: Fong Sandoval, Rudy
To: Eli Naduris-Weissman

Subject: Re (b) (6), (b) (7)(C) affid.- 31-CA-1586890- Sanders-Clark McD

Date: Monday, November 2, 2015 4:12:17 PM

sounds good. im working away from office today n tomorrow so best way to reach me is via email.

From: Eli Naduris-Weissman <enaduris-weissman@rsglabor.com>

Sent: Monday, November 2, 2015 9:52:33 AM

To: Fong Sandoval, Rudy

Subject: RE: (b) (6), (b) (7)(C) affid. - 31-CA-1586890- Sanders-Clark McD

Rudy:

I expect to hear from today, and I will get back to you promptly.

__

Eli Naduris-Weissman Rothner, Segall & Greenstone

510 South Marengo Avenue Pasadena, California 91101-3115 Tel. (626) 796-7555 | Fax (626) 577-0124 www.rsglabor.com

From: Fong Sandoval, Rudy [mailto:Rudy.FongSandoval@nlrb.gov]

Sent: Friday, October 30, 2015 8:50 AM

To: Eli Naduris-Weissman <enaduris-weissman@rsglabor.com>

Subject: RE (b) (6), (b) (7)(C) affid. - 31-CA-1586890- Sanders-Clark McD

Eli- we need to take affidavit next week. Can you confirm today? (I appreciate your understanding of the Board's unexpected timeliness but we just all do the best we can. Thanks! ;)

From: Fong Sandoval, Rudy

Sent: Wednesday, October 28, 2015 9:34 AM

To: 'Eli Naduris-Weissman'

Subject: RE: (b) (6), (b) (7)(C)_{affid.-} 31-CA-1586890- Sanders-Clark McD

For now I am available Tuesd. through Thursd. Can we get in any of those days? Preferable anytime between 7 am and no later than 1 p.m.? thank you. Please confirm as soon as conveniently possible because I have other pending Affds being scheduled for next week. Thank you.

From: Eli Naduris-Weissman [mailto:enaduris-weissman@rsglabor.com]

Sent: Monday, October 26, 2015 4:17 PM

To: Fong Sandoval, Rudy

Subject: RE: (b) (6), (b) (7)(C)_{affid.-} 31-CA-1586890- Sanders-Clark McD

Rudy:

Due to some other exigencies in the campaign, staff hasn't been able to get ahold of your e-mail. Can we discuss your availability for an affidavit after this week?

Thanks

Eli Naduris-Weissman
Rothner, Segall & Greenstone
510 South Marengo Avenue
Pasadena, California 91101-3115

Tel. (626) 796-7555 | Fax (626) 577-0124 www.rsglabor.com

From: Fong Sandoval, Rudy [mailto:Rudy.FongSandoval@nlrb.gov]

Sent: Friday, October 23, 2015 10:50 AM

To: Eli Naduris-Weissman < enaduris-weissman@rsglabor.com >

Subject: RE: (b) (6), (b) (7)(C) affid. - 31-CA-1586890- Sanders-Clark McD

Eli- some heads up--- I got a tentative affid. on another case next Thursday morning. Let's see if we can schedule either (b) (6), (b) (7)(C) . Just shooting proposals. Wed. might also work if is available.

From: Eli Naduris-Weissman [mailto:enaduris-weissman@rsglabor.com]

Sent: Thursday, October 22, 2015 2:16 PM

To: Fong Sandoval, Rudy

Subject: RE: (b) (6), (b) (7)(C) affid. - 31-CA-1586890- Sanders-Clark McD

Rudy:

I will see what we can do. I'm out tomorrow so will likely not be able to let you know until Monday, and it will probably be for one of the days days days days

__

Eli Naduris-Weissman Rothner, Segall & Greenstone 510 South Marengo Avenue Pasadena, California 91101-3115 Tel. (626) 796-7555 | Fax (626) 577-0124 www.rsglabor.com From: Fong Sandoval, Rudy [mailto:Rudy.FongSandoval@nlrb.gov]

Sent: Thursday, October 22, 2015 1:50 PM

To: Eli Naduris-Weissman < enaduris-weissman@rsglabor.com >

Subject (b) (6), (b) (7)(C) affid.- 31-CA-1586890- Sanders-Clark McD

Eli, thank you for your patience in scheduling affidavit. I got a window for next week of Monday 10/26. Presently available any day next week except Wed. I would like to meet with early in the morning in my office to avoid traffic. I can meet as early as 7 am and tell to allot at least 4 hours. I can meet as late as 11 a.m. to give it the 4 hours or so that it may take me.

Can you check with and get back to me as to which days a savailable asap to lock it in. I have several other cases in the process of scheduling so the sooner you can get back to me the better. If has more than one day can meet with me, let me know the days as it will ensure our meeting. I appreciate your continued cooperation. Thank you.

Rudy L. Fong Sandoval, Esq. Field Attorney, Region 31 National Labor Relations Board 11500 West Olympic Blvd., Suite 600 Los Angeles, CA 90064

Tel: (310) 235-6418 Fax: (310) 235-7420

email: rudy.fong-sandoval@nlrb.gov

From: Fong Sandoval, Rudy
To: Eli Naduris-Weissman
Subject: affid affid

Date: Wednesday, November 4, 2015 11:08:51 AM

eli- any updates. im sorry but i do have to schedule this week. thnk u.

Case Number: 31—158689 Agenda Minute: 12—13 Board Agent: Resisting Contract Supervisor: Category: Seeking Initial Contract Contr	
Bargaining Existing None Organizing Seeking Initial Seeking Succeeding Contract (1) Check the appropriate action (2) mark all allegation types that apply, as follows: Partial Action, please state the status of the remaining allegation(s): RD Determination M=Merit, X=No merit, D=Defer, A=Advice	
Bargaining Status Contract None Organizing Seeking Initial Seeking Succeeding	
Status Contract Campaign Contract Contract	
Partial Action, please state the status of the remaining allegation(s): RD Determination Withdrawal Solicited Case set for dismissal Charging and Charged Party have resolved the dispute alleged in the charge (Regional Office Remedies Attached) Charging Party does not wish to proceed for reasons other than above-listed reasons.	
Withdrawal Solicited Reason for WD: Case set for dismissal Charging and Charged Party have resolved the dispute alleged in the charge (Regional Office Remedies Attached) Charging Party does not wish to proceed for reasons other than above-listed reasons.	
Solicited	
Charging and Charged Party have resolved the dispute alleged in the charge (Regional Office Remedies Attached) Charging Party does not wish to proceed for reasons other than above-listed reasons.	
A CONTROL OF CASES OF	
Check advice type on back	
Complaint Issuance Forward with draft complaint √= allegation type in Complaint	
Deferral/Abeyance Issuance Forward with draft letter C=Collyer; D=Dubo; A=Abeyance	
Dismissal Issuance Forward with draft letter D=Dismissed; A=Adjusted w/ Remedies Sheet attached	
Were the reasons for proposed dismissal in absence of WD given in detail toCP orAtty?No orYes on date in person, by phone or in writing. On refusal to withdraw, was theCP orAtty informed, pursuant to outstanding instructions, that a summary report setting forth the reasons for dismissal would be included in the dismissal letter unless CP or Atty specifically stated no such report was desired?Yes orNo. If not, why not? Was the offer of a summary report in dismissal letter rejected byCP orAtty?Yes orNo. Was theCP orAtty informed that the Charged Party would receive a copy of the dismissal letter?Yes orNo.	
Settlement Approval Forward with draft settlement Formal: √= allegation type in Settlement Informal: B = Bilateral; U=Unilateral	
8(a)(1) 8(a)(3)(cont.)	
Coercive Statements (Threats, Promises of Benefits, etc.) Refusal to Hire Majority	
Concerted Activities (Retaliation, Discharge, Discipline) Refusal to Reinstate E'ee/Striker (e.g. Laidlaw).	
Denial of Access Discharge of supervisor (Parker-Robb Chevrolet) Shutdown or Relocate/ Subcontract Unit Work Union Security Related Actions	
Coercive Actions (Surveillance, etc)	
Weingarten 8(a)(4)	
Interrogation (including Polling) Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire)	
Interrogation (including Polling) Changes in Terms and Conditions of Employment	
Interrogation (including Polling) Lawsuits Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire)	
Interrogation (including Polling) Lawsuits Coercive Rules Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline	
Interrogation (including Polling) Lawsuits Coercive Rules Shutdown or Relocate/ Subcontract Unit Work Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline Shutdown or Relocate/ Subcontract Unit Work	
Interrogation (including Polling) Lawsuits Coercive Rules 8(a)(2) Assistance Domination Unlawful Recognition Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline Shutdown or Relocate/ Subcontract Unit Work Refusal to Reinstate Employee/Striker 8(a)(5) Alter-Ego	
Interrogation (including Polling) Lawsuits Coercive Rules 8(a)(2) Assistance Domination Unlawful Recognition 8(a)(3) Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline Shutdown or Relocate/ Subcontract Unit Work Refusal to Reinstate Employee/Striker 8(a)(5) Alter-Ego Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing)	
Interrogation (including Polling) Lawsuits Coercive Rules B(a)(2) Assistance Domination Unlawful Recognition B(a)(3) Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline Shutdown or Relocate/ Subcontract Unit Work Refusal to Reinstate Employee/Striker Alter-Ego Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing) Failure to Sign Agreement	
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Interrogation (including Polling) Lawsuits Coercive Rules B(a)(2) Assistance Domination Unlawful Recognition Changes in Terms and Conditions of Employment Discipline B(a)(3) Changes in Terms and Conditions of Employment Discipline B(a)(3) Changes in Terms and Conditions of Employment Discipline Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing) Failure to Sign Agreement Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes] Refusal to Furnish Information	
Interrogation (including Polling) Lawsuits Coercive Rules B(a)(2) Assistance Domination Unlawful Recognition B(a)(3) Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline, Shutdown or Relocate/ Subcontract Unit Work Refusal to Reinstate Employee/Striker B(a)(5) Alter-Ego Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing) Failure to Sign Agreement Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes]	

NXGEN Disposition Sheet Page 2

8(b)(1)(A)	8(b)(4)(B)
Coercion, incl'g Statements and Violence	Picketing/Handbilling
Denial of Access	Lawsuits/Grievances
Discipline (including charges/fines)/Harassment	Statements
Duty of Fair Representation, incl'g Superseniority, denial of access	8(b)(4)(C)
Union Dues and/or Membership Related (including excessing fees)	Picketing
Hiring Halls	Lawsuits/Grievances
Picketing/Strike Actions Rules: Coercive	Statements S(E)(4)(D)
	8(b)(4)(D)
8(b)(1)(B)	All allegations
Fund Contribution Related	8(b)(5)
Lawsuits	All allegations
Other Allegations	8(b)(6)
Statements/Threats/Violence	All allegations
8(b)(2)	8(b)(7)(A)
Hiring Hall Related	All allegations
Lawsuits	8(b)(7)(B)
Union Security Related Actions	Alt allegations
Causing Employer to Discriminate/Retaliate	8(b)(7)(C)
8(b)(3)	- All allegations
Refusal to Bargain/Bad Faith or Surface Bargaining	8(e)
Failure to Sign Agreement	All Allegations against a Labor Organization
Refusal to Furnish Information	All Allegations against an Employer
Repudiation/Modification of Contract	8(g)
8(b)(4)(A)	All allegations
Picketing/Handbilling	
Lawsuits/Grievances	
Statements	
_ Check Advice Type	Method
Original Submission	Compliance with 10(k) Board Determination
Resubmission as to ALJD	Withdrawal, adjusted
Resubmission as to EAJA Issue	Dismissal, adjusted
Resubmission with New Facts Resubmission for Reconsideration	Compliance with ALJ Decision
Resubmission on Remand from Advice	Compliance with Board Decision
Resubmission as to Proposed Settlement	Compliance with Court Judgment Dismissal, not adjusted
	Compliance with Formal Settlement
If Applicable:	Compliance with Informal Settlement
Check Closing Stage of Case	Transferred
Timing -	Withdrawal, not adjusted
After ALJ Decision	Without Full Compliance with Board Decision
After Board Order – Automatic Decision After Board Order – Contested Decision	Without Full Compliance with Court Judgment
After Board Order – Contested Decision After Board Order – Stipulated Decision	Without Full Compliance w/Formal Settlement Without Full Compliance w/Informal Settlement
After Complaint, Before Hearing	
After Consent Court Judgment	1)
After Contested Court Judgment	On 12-12-15 date,CP or Atty verbally in writing
After Contempt Judgment	withdrew the instant charge. I recommend approval.
After Hearing Closed After Hearing Opened, Before Hrg. Closed	$\langle f \rangle$
After Supreme Court Judgment	
Pre 10(k) Notice of Hearing	(Board Agent's signature
Pre-Complaint	_
After 10(k) Notice, Before Hearing	11-13-15
NxGen file is completed.	(Date)
	(bate)
HOT TOPIC designated. Circle all applicable.	Withdrawal request approved
Cessation of Dues Check-off Recess Appointments Information Requests for Discharge Organizing Campaign	estimated todasocalshipsed
Financial Records	
Use of Employer E-mail Noel Canning	(Date)
Social Media (Fast Food)	(Date)
Post Arbitration Deferral Challenges to Acting GC's	/WU
Authority	
Employer Mandatory Arbitration	Regional Director, Region 31
Policy	National Labor Relations Board



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 31 11500 W Olympic Blvd Ste 600 Los Angeles, CA 90064-1753 Agency Website: www.nlrb.gov Telephone: (310)235-7351 Fax: (310)235-7420

November 16, 2015

REGINA PETTY FISHER & PHILLIPS LLC 4747 EXECUTIVE DR STE 1000 SAN DIEGO, CA 92121-3113

ARIANE PANTER, COUNSEL, GLOBAL LABOR & EMPLOYMENT LAW MCDONALD'S USA, LLC 2915 JORIE BLVD.
OAK BROOK, IL 60523

Re:

Sanders-Clark & Co. d/b/a/ McDonalds &

McDonalds USA LLC as Joint/Single

Employer

Case 31-CA-158689

Dear Ms. Petty and Ms. Panter:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Mori Rubin

Regional Director

lou Rubyn

cc:

(b) (6), (b) (7)(C)

SANDERS-CLARK & CO. D/B/A/ MCDONALDS & MCDONALDS USA LLC AS JOINT/SINGLE EMPLOYER 2838 CRENSHAW BLVD LOS ANGELES, CA 90016-3604

MHAIRI L. WHITTON, ATTORNEY AT LAW JONES DAY 12265 EL CAMINO REAL, SUITE 200 SAN DIEGO, CA 92130-4096 Sanders-Clark & Co. d/b/a/ McDonalds & - 2 - McDonalds USA LLC as Joint/Single Employer Case 31-CA-158689

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